



A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred, NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied

ACTION AGENDA

Hickory City Council
76 North Center Street

February 16, 2016
7:00 p.m.

- I. Call to Order
- II. Invocation by Rev. Susan Walker, Associate Pastor, Exodus Missionary Outreach Church
- III. Pledge of Allegiance
- IV. Special Presentations
- NA** A. Presentation by Community Groups Requesting Appropriations from the City Council during the Next Fiscal Year Beginning July 1, 2016. **(Exhibit IV.A.)**

The Council will not take action tonight. Action will be taken when the Council considers the City's annual budget in May or June. These presentations are made so Council Members can ask questions or make comments about the requests. Presenters will be allotted no more than five (5) minutes to make their presentations to Council.

| Organization | Presentation By | Amount Requested |
|---|------------------------------|------------------|
| Catawba County Economic Development Corporation | Scott Millar | \$151,976 |
| Habitat for Humanity of Catawba Valley | Mitzi Gellman | \$19,088 |
| Hickory Downtown Development Association | Connie Kincaid | \$50,000 |
| Hickory Metro Convention & Visitors Bureau | Mandy Pitts and Bruce Eckard | \$20,000 |
| Safe Harbor Rescue Mission | Vicki Murray | \$10,000 |
| SALT Block Foundation | Michael Thompson | \$100,000 |
| United Arts Council of Catawba County | Vicki Martin | \$40,143 |

Presentation were made to Council from various community groups requesting appropriations for the next fiscal year beginning July 1, 2016.

- V. Persons Requesting to Be Heard
 - A. Billy Sudderth, Multipurpose Resource Center at Ridgeview, 7th Avenue and 1st Street SW.

Mr. Billy Sudderth discussed the need for a Multipurpose Resource Center in the Ridgeview Community.
- VI. Approval of Minutes
- A** A. Regular Meeting of February 2, 2016. **(Exhibit VI.A.)**

- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
- A2** A. Approval of the Purchase of a 2016 Rosenbauer ARFF (Aircraft Rescue and Firefighting) Truck in the Amount of \$328,892 in Accordance with North Carolina Department of Transportation – Division of Aviation (NCDOT-DOA) Grant Process. **(First Reading Vote: Unanimous)**
 - A2** B. Grant Project Ordinance Number 5. **(First Reading Vote: Unanimous)**
 - A2** C. Budget Ordinance Amendment Number 16. **(First Reading Vote: Unanimous)**
 - A2** D. Consideration of Bond Commission's Recommendation Combined Option "A" for Riverwalk, City Walk, Streetscapes and Gateways. **(First Reading Vote: Unanimous)**
 - A2** E. Consideration of an Ordinance to Demolish an Abandoned Structure at 747 Main Avenue SW. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
- A1** A. Approval of a Community Appearance Grant for Non-Residential Properties Owned by Tim Cline Properties, LLC Located at 246-252 Union Square in the Amount of \$5,000. **(Exhibit VIII.A.)**

City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. The applicant, Tim Cline Properties, LLC has provided two bids for the replacement of storefront awnings, which total \$10,486 and \$13,375. Both estimates are in excess of \$10,000, and qualifies for the full \$5,000 grant. The Community Appearance Commission voted unanimously (6-0) at their January 25, 2016 meeting, to recommend funding of the requested grant in the amount of \$5,000. The current tax value of the grant of the properties is \$1,006,700. The value of the grant represents approximately .5 percent of the properties tax value, or 87.6 percent of the 2015-2016 City property tax bill.
 - A** B. Special Events Activities Application for National Day of Prayer 2016, Charles Moretz, Christopher Harris, Managers, ARC, Inc., May 5, 2016, 6:30 a.m. to 10:00 p.m. Sails on the Square. **(Exhibit VIII.B.)**
 - A** C. Special Events Activities Application for Downtown Hickory Farmers Market 2016, Sarah Taylor Wood, Manager, Downtown Hickory Farmers Market, April 16, 2016 through November 26, 2016, Wednesdays 8:30 a.m. to 4:00 p.m. and Saturdays 6:30 a.m. to 2:00 p.m., Union Square. **(Exhibit VIII.C.)**
 - A** D. Special Events Activities Application for Piedmont Percussion Program Concert, Rick Cline Director, Piedmont Percussion Program, April 8, 2016 4:00 p.m. to 9:00 p.m., Sails on the Square. **(Exhibit VIII.D.)**
 - A** E. Approval to Advertise All Real and Personal Tax Amounts, for the Current Fiscal Year and Prior Fiscal Year, in the Hickory Daily Record in an attempt to Collect the Outstanding Amounts. **(Exhibit VIII.E.)**

General Statute §105-369(a) mandates that the Tax Collector inform the governing body of and then advertise the “total amount of unpaid taxes for the current fiscal year that are liens on real property”. A taxing unit has the option of also advertising personal property taxes that are not a lien on real property, but the cost of that advertisement may not be passed along to taxpayers as is the cost of the real property tax lien advertisement. The amount advertised should only be the principal amount of taxes owed, not including any interest, costs, or fees. Although the Machinery Act mandates only the current year’s tax liens be advertised, some tax offices advertise liens from prior years as well. General Statute §105-369(c) requires that real property tax liens for the current year be advertised at any time from March 1 through June 30.

| County | Real Property Tax | Personal Property Tax | Public Service Property Tax | Totals |
|---------------|-------------------|-----------------------|-----------------------------|--------------------|
| Burke 2015 | \$2,537.96 | \$6,553.96 | - | \$9,091.92 |
| Caldwell 2015 | \$1,368.66 | - | \$52.59 | \$1,421.25 |
| Burke 2014 | - | \$967.27 | - | \$967.27 |
| Caldwell 2012 | \$1,208.00 | - | - | \$1,208.00 |
| Caldwell 2011 | \$1,208.00 | - | - | \$1,208.00 |
| Totals | \$6,322.62 | \$7,521.23 | \$52.59 | \$13,896.44 |

The Tax Collector has informed City Council of the unpaid tax amounts for the current fiscal year and prior fiscal years. Staff recommends that City Council issue an order to advertise all real and personal (current fiscal year and prior fiscal year) tax amounts in the Hickory Daily Record in an attempt to collect the outstanding amounts.

- A1 F.** Approval of the 2016 Loan Agreement with the National Museum of the United States Air Force under their Static Display Program for Loan of Aircraft to the City of Hickory/Hickory Regional Airport. **(Exhibit VIII.F.)**

The City has taken part in the United States Air Force’s Static Display Program for many years whereby certain aircraft are on loan to the City for display by the Hickory Aviation Museum. In return, the Hickory Aviation Museum agrees to maintain and ensure the preservation of said aircraft in good condition while furnishing the Air Force with photos and for the aircraft to remain prepared for expedition and periodic inspection. The Hickory Regional Airport currently has on loan two aircraft that fall under this agreement, which are an F-105B and T-33A. Staff recommends approval of the 2016 Loan Agreement with the National Museum of the United States Air Force.

- A G.** Citizens’ Advisory Committee Recommendations for Assistance through the City of Hickory’s Housing Programs. **(Exhibit VIII.G.)**

The following request was considered by the Citizens’ Advisory Committee at their regular meeting on February 4, 2016:

- Jon Huskins, 1607 1st Avenue NW, Hickory, was awarded a City of Hickory’s Housing Rehabilitation Loan. The Citizens’ Advisory Committee recommends approval for assistance not to exceed \$15,000 for repairs to his house. Assistance would be in the form of a zero percent interest deferred loan.

Funds are budgeted for this item through the City of Hickory’s former Rental Rehabilitation program income and/or program income received through the City of Hickory’s Community Development Block Grant Program. The Citizens’ Advisory Committee recommends approval of the aforementioned request for assistance through the City of Hickory’s housing assistance programs.

- A1 H.** Approval to Amend the Parking Ordinance for the Farmer’s Market to Supersede Last Year’s Ordinance (15-03) with a Time and Date Change. **(Exhibit VIII.H.)**

The Farmer’s Market hours have changed this year which require a change in no parking

ordinance hours and dates. The Traffic Division has analyzed this request and feels it would be fitting. Changing the signage along this parking area would be simple and the signs/markings shop has already taken the appropriate steps to ensure an easy transition. Staff recommends amending the Traffic Ordinance by prohibiting parking in the Union Square lot to facilitate the Farmer's Market. Parking will be prohibited in the spaces south of Union Square along the north side of the parking lot road connecting the east and west parking lots as well as along the west parking lot to incorporate the first three angled parking spaces. Parking will be prohibited on Wednesdays from 8:00 a.m. until 4:00 p.m. and on Saturdays from 6:00 a.m. until 2:00 p.m. during the Farmer's Market from April 16, 2016 through November 26, 2016 (excluding Saturday, October 8, 2016 which is Oktoberfest weekend, and Saturday, November 12, 2016, which is Shuck-n-Peel). Towing will be enforced. Parking Ordinance 15-03 will become null and void. The new Parking Ordinance will cover the recommended change.

- A1** I. Approval of Amendment One (1) to the Agreement for Consulting Services with Gavel & Dorn, PLLC in the Amount of \$17,000 for the Central Business District Waterline, Sewer Line and Storm Drainage Rehabilitation Project. **(Exhibit VIII.I.)**

The Central Business District (for this project is the area of downtown Hickory bounded by Trade Alley north to 2nd Avenue NW and 2nd Street NW west to 3rd Street NW) is served by an older portion of the City of Hickory distribution system. Over time this material will become turberculated with material and significantly reduce the available flow diameter of the waterlines. This project is intended to restore the full pipe diameter, and reestablish necessary fire flows and available service to customers. Sanitary sewer lines are older and degrading allowing a significant amount of inflow/infiltration to enter the lines and cause problems downstream of the Central Business District. As a component of the overall evaluation the main trunk line storm drainage system was evaluated and found to have some issues that were requiring attention as well. The infrastructure in this area is estimated to be over 100 years old. City Council approved the original agreement to evaluate, design, and construct the improvements necessary for the Central Business District infrastructure rehabilitation project on April 7, 2015. Amendment one (1) is necessary to fund additional services that were not covered in the original agreement. Those services include additional closed circuit TV inspections, pre-construction building inspections, prepare easement survey plats, and design additional infrastructure improvements necessary to accommodate recreational features to be added in the service area. Amendment one (1) will result in a revised contract price of \$285,000. Staff recommends Council's approval of amendment one (1) to the agreement for Consulting and Construction Administration Services with Gavel & Dorn, PLLC for the Central Business District waterline, sewer line and storm drainage rehabilitation project in the amount of \$17,000.

- A1** J. Acceptance of Change Order One (1) with Hickory Sand Company, Inc. in the Amount of \$6,890 for the Construction of the Sherwood Forest Sewer Project. **(Exhibit VIII.J.)**

The Public Utilities Department and Catawba County Environmental Health identified Sherwood Forest Subdivision as one of three areas of concern in 1998 as a part of the future service areas for the City of Hickory sanitary sewer system. Staff applied for State Revolving Grant funds and were approved for a grant to fund construction of necessary sanitary sewer infrastructure to provide public sewer to the homes in this subdivision. Change order one (1) with Hickory Sand Company, Inc. is for unforeseen conditions, which include installation of a precast junction box, approximately 10 feet of 30 inch concrete pipe and 40 feet of 15 inch HDPE pipe and associated grading to form a ditch section previously undetected. Change order one (1) will result in a new construction price of \$720,151.50 and represents a .99 percent increase to the original construction price. Staff recommends Council accept change order one (1) to the Sherwood Forest Sewer Project with Hickory Sand Company, Inc. for the construction of the Sherwood Forest Sewer Project in the amount of \$6,890. Grant funds are available to cover the change order.

- A1** **K.** Acceptance of a 25 Foot Temporary Construction Easement and 25 Foot Sanitary Sewer Line Easement for the Property of Randall Javann Bryant and wife, Constance E. Bryant, PIN #3724-18-40-0894, for Installation of a Sanitary Sewer Line. **(Exhibit VIII.K.)**

The temporary and permanent easement is necessary for completion of the Random Woods Subdivision sanitary sewer project. This City was awarded a State Revolving Grant by NCDENR-DWQ in 2012 in the amount of \$2.946 million dollars for this project. This easement is necessary for the construction of the infrastructure required to serve this area with sanitary sewer and will not increase the cost of this construction project. The easement was negotiated for a total sum of \$3,000 in exchange for the easement. Staff recommends approval of this 25 foot temporary construction easement and 25 foot permanent sanitary sewer easement across the property of Randall Javann Bryant and wife, Constance E. Bryant, PIN #3724-18-40-0894, for installation of a sanitary sewer line.

- A1** **L.** Acceptance of Bid and Award of Construction Contract to Iron Mountain Construction Co. Inc. for the Construction of the Kenworth Waterline Rehabilitation Phase 3 Project in the Amount of \$627,000. **(Exhibit VIII.L.)**

The Public Utilities Department annually identifies infrastructure that is in need of replacement or rehabilitation, as appropriate, as a component of the Department's sustainability programs. This project replaces approximately 4,700 linear feet of aged two inch, six inch and twelve inch case iron waterline with proposed two inch, six inch, eight inch and twelve inch PVC waterlines. Fire Hydrants, valves and water service connections will be replaced as a part of the project as well. The project will include construction of one new section of six inch line that will provide a beneficial loop within the area to circulate potable water. Clark & Associates, Inc. was responsible for design and bidding of the project. Construction bids were received from three perspective bidders: Iron Mountain Construction Co. \$627,000; Hickory Sand Company, Inc. \$678,460; and Neill Grading & Construction Co., Inc. \$762,714. Clark & Associates, Inc. evaluated the bid packages and found Iron Mountain Construction Company, Inc. to be the lowest responsible bidder and has recommended acceptance and award of the project to Iron Mountain Construction Company, Inc. The funds for this project will be taken from Public Utilities Fund Balance. Staff recommends Council accept the bid and award of the construction contract with the responsible low bidder Iron Mountain Construction Co., Inc. for the construction of the Kenworth Waterline Rehabilitation Phase 3 Project in the amount of \$627,000.

- A1** **M.** Budget Ordinance Amendment Number 17. **(Exhibit VIII.M.)**

1. *To establish budget for NC Governor's Crime Commission grant in the amount of \$9,796.24 for the purchase of safety equipment for Lenoir Rhyne University Security Services. Equipment to be purchased includes 4 desktop computers, 2 monitors, 1 laptop, 1 docking station, 9 flashlights, 2 first aid kits, 1 jump box with air compressor, 8 traffic vests, 2 tourniquet kits, and one PTZ camera. All equipment obtained by NCGCC funds will be the property of the City of Hickory and will be loaned to Lenoir Rhyne University. A memorandum of agreement between the University and City of Hickory will be in place to ensure accountability and asset retention for the property.*
2. *To establish budget from Wal-Mart grant funds in the amount of \$750 for two safety events to be conducted by the Police Department. Events will be held on March 29th in the Ridgecrest neighborhood and March 31st in the Ridgeview neighborhood. Funds will be used for food and networking tools.*
3. *To recognize as revenue a \$2,500 donation from the Hickory Elks Lodge for the Recreation Department's Annual Easter Egg Hunt.*
4. *To recognize as revenue a \$1,360 reimbursement from the NC Recreation & Park Association for officials' fees for the SWAC Soccer Tournament held November 14-15, 2015.*
5. *To add funds to an existing engineering contract with Gavel & Dorn, PLLC for the Central Business District Waterline, Sewerline, and Storm Drainage*

Rehabilitation project. City Council approved the original agreement to evaluate, design, and construct the improvements necessary for the CBD project on April 7, 2015 in the amount of \$268,000. This Amendment will add \$17,000 to the contract which is required to fund additional services not covered in the original agreement; this includes additional Closed Circuit TV inspections, pre-construction building inspections, preparation of easement survey plats, and the design of additional infrastructure improvements necessary to accommodate recreational features to be added in the service area.

6. *To appropriate funds for the construction of the Kenworth Waterline Rehabilitation Phase 3 Project per approval of the lowest responsible bid of \$627,000. This project replaces approximately 4,700-lft of aged 2-inch, 6-inch, and 12-inch cast iron waterline with proposed 2-inch, 6-inch, 8-inch and 12-inch PVC waterlines. Fire Hydrants, valves and water service connections will be replaced as a part of the project as well. The existing waterlines are subject to water line breaks and frequent discolored water calls due to the age and type of material that exists in this area. The project will include construction of one new section of 6-inch line that will provide a beneficial loop within the area to circulate potable water.*

IX. Items Removed from Consent Agenda – NONE

X. Informational Item

XI. New Business:

A. Public Hearings

B. Departmental Reports:

- A1**
1. Approval of the Parks and Recreation Commission's Recommendation to Rename the Proposed Cloninger Mill Park to Bruce Meisner Park. **(Exhibit XI.B.1)**

On December 1, 2015 City Council reached a consensus of their desire to rename the proposed Cloninger Mill Park in honor of former Alderman Bruce Meisner in recognition of his 32 years of faithful service to the City of Hickory. City Council asked that their request follow the City of Hickory's Public Facility Naming Policy process. In accordance with the policy, the naming request was referred to the Parks and Recreation Commission for their consideration and recommendation. The Parks and Recreation Commission held a public hearing on February 9, 2016 with 10 of 11 Parks and Recreation Commission members present. This public hearing was advertised in a newspaper having general circulation in the Hickory area on January 15, 2016. No one spoke against the naming request, and one person spoke in favor of the request. Upon closing the public hearing the Parks and Recreation Commission voted unanimously to recommend to City Council that the proposed Cloninger Mill Park be renamed to the Bruce Meisner Park.

- A**
2. Consideration and Acceptance of the Updated Cloninger Mill Park Master Site Plan. **(Exhibit XI.B.2.)**

In 2008, Alfred Benesch & Company (formerly known as Site Solutions) was contracted by the City of Hickory to develop a park master site plan for the approximately 75 acre Cloninger Mill property, excluding approximately 10.1 acres that had been set aside for commercial development and approximately 1.9 acres that had been set aside for residential development. The 63 acre Cloninger Mill Park Master Site Plan was accepted by both the Parks and Recreation Commission and City Council in March of 2009. In May of 2015, City Council accepted a \$900,000 donation from North Carolina Outward Bound to keep the 10 acre commercial site as part of the park. Once that donation had

been accepted, the City of Hickory again retained the services of Alfred Benesch & Company to take the 2009 plan and update it to incorporate the additional 10 acres back into the park. As a component of the park Master Site Plan update, the site development costs for the entire park would also be updated. The total estimated project cost is \$3,928,003 compared to the 2009 estimated project cost of \$2,888,895. Phase 1 (western node with access from Cloninger Mill Road) estimated construction costs total \$2,386,803 compared to the 2009 estimated construction cost of \$1,318,273. Phase 2 (eastern node with access from 9th Street NE) estimated construction costs total \$1,541,200 compared to the 2009 construction cost of \$1,570,622. The updated plan was presented to the Parks and Recreation Commission at their January 12, 2016 meeting and unanimously accepted. Parks and Recreation Commission recommends acceptance of the updated Cloninger Mill Park Master Site Plan. Staff will be discussing this project and others at a Council Retreat later this month and in March for a holistic approach to addressing multiple capital projects in the City.

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3. Appointments to Boards and Commissions

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Other Minority VACANT

Other Minority VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)

(Appointed by City Council)

Burke County (Mayor to Nominate) VACANT Since 8-6-2008

Brookford (Mayor to Nominate) VACANT Since 6-2006

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(7) Positions VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

At-Large Minority VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 3 VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 3 VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

The Youth Council Applicant Review Committee Makes the Following Recommendation for Appointment to the Youth Council:

Caylin Stinson – Hickory Career Arts Magnet

TRANSPORTATION ADVISORY COMMITTEE FOR THE GREATER HICKORY METROPOLITAN PLANNING ORGANIZATION

Delegate to replace former Alderman Meisner

Alderman Lail nominated Alderman Tarlton as the delegate for the Transportation Advisory Committee for the Greater Hickory Metropolitan Planning Organization.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

City Council discussed a “Book Walk” connecting the Ridgeview Library to the Patrick Beaver Library.

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

XIV. Closed Session Per NC General Statutes 143-318.11(a)(1)(3) to consult with the attorneys regarding the following: (Action on these items, if any, will occur in Open Session)

1. Approval of Closed Session Minutes of November 3, 2015 - NCGS §143-318.11(a)(1)
2. Discussion of Potential Litigation - NCGS §143-318.11(a)(3)

XV. Adjournment

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| <p>The City of Hickory holds all public meetings in accessible rooms. Special requests for accommodation should be submitted by individuals with disabilities at least 48 hours before the scheduled meeting. Phone Services (hearing impaired) – Call 711 or 1-800-735-2962</p> |
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